

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

# PCT

## NOTIFICATION OF RECEIPT OF SEARCH COPY

(PCT Rule 25.1)

To:

SUSAN M. DADIO  
BURNS, DOANE, SWECKER & MATHIS, LLP  
P. O. BOX 1404  
ALEXANDRIA, VIRGINIA 22313-1404

Date of mailing  
(day/month/year)

07 Jun 2005

Applicant's or agent's file reference  
034136-022

### IMPORTANT NOTIFICATION

International application No.  
PCT/US05/10214

International filing date (day/month/year)  
25 Mar 2005

Priority date (day/month/year)  
26 Mar 2004

Applicant

LUNA INNOVATIONS INCORPORATED

1. **Where the International Searching Authority and the receiving Office are not the same Office:**

The applicant is hereby notified that the search copy of the international application was received by this International Searching Authority on the date indicated below.

**Where the International Searching Authority and the receiving Office are the same Office:**

The applicant is hereby notified that the search copy of the international application was received on the date indicated below.

07 Jun 2005

(date of receipt).

2. ☐ The search copy was accompanied by a nucleotide and/or amino acid sequence listing or tables related thereto in computer readable form.

3. **Time limit for establishment of international search report and written opinion of the International Searching Authority**  
The applicant is informed that the time limit for establishing the international search report and the written opinion of the International Searching Authority is three months from the date of receipt indicated above or nine months from the priority date, whichever time limit expires later (Rules 42.1 and 43bis.1(a)).

4. A copy of this notification has been sent to the International Bureau and, where the first sentence of paragraph 1 applies, to the receiving Office.

Name and mailing address of the ISA/  
Mail Stop PCT, Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450  
Facsimile No. 703-305-3230

Authorized officer  
Felicia Lawrence  
Telephone No. 703-308-9290 EX 133

## PATENT COOPERATION T. EATY

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RECEIVED

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BURNS DOANE  
SWECKER & MATHIS, LLPNOTIFICATION OF RECEIPT OF  
RECORD COPY

(PCT Rule 24.2(a))

From the INTERNATIONAL BUREAU

To:

DADIO, Susan, M.  
Burns, Doane, Swecker & Mathis, LLP  
P. O. Box 1404  
Alexandria, Virginia 22313-1404  
United States of America

Date of mailing (day/month/year) 17 June 2005 (17.06.2005)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 034136-022	International application No. PCT/US2005/010214

The applicant is hereby notified that the International Bureau has received the record copy of the international application as detailed below.

Name(s) of the applicant(s) and State(s) for which they are applicants:

LUNA INNOVATIONS INCORPORATED (for all designated States except US)

PHILLIPS, J., Paige et al (for US)

International filing date : 25 March 2005 (25.03.2005)

Priority date(s) claimed : 26 March 2004 (26.03.2004)

Date of receipt of the record copy  
by the International Bureau : 09 June 2005 (09.06.2005)

List of designated Offices :

AP : BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW

EA : AM, AZ, BY, KG, KZ, MD, RU, TJ, TM

EP : AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR

OA : BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG

National : AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 338.89.95

Authorized officer:

Marina BIARGE-THURRE (Fax 338-71-

Telephone No. (41-22) 338 8373

## Continuation of Form PCT/IB/301

## NOTIFICATION OF RECEIPT OF RECORD COPY

<b>Date of mailing (day/month/year)</b> 17 June 2005 (17.06.2005)	<b>IMPORTANT NOTIFICATION</b>
<b>Applicant's or agent's file reference</b> 034136-022	<b>International application No.</b> PCT/US2005/010214

**ATTENTION**

The applicant should carefully check the data appearing in this Notification. In case of any discrepancy between these data and the indications in the international application, the applicant should immediately inform the International Bureau.

In addition, the applicant's attention is drawn to the information contained in the Annex, relating to:

- time limits for entry into the national phase - see updated important information (as of April 2002)
- requirements regarding priority documents (if applicable)

A copy of this Notification is being sent to the receiving Office and to the International Searching Authority.

## INFORMATION ON TIME LIMITS FOR ENTERING THE NATIONAL PHASE

The applicant is reminded that the **"national phase"** must be entered before each of the designated Offices indicated on the cover sheet of this Notification by paying national fees and furnishing translations, as prescribed by Articles 22 and 39 and the applicable national laws. In addition, the applicant may also have to comply with other special requirements applicable in certain Offices. It is the **applicant's responsibility** to ensure the necessary steps to enter the national phase are taken in a timely fashion. Most Offices do not issue reminders to applicants in connection with the entry into the national phase.

The **applicable time limit** for entering the national phase will, **subject to what is said in the following paragraph**, be **30 MONTHS** from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of 19 months from the priority date (see Article 39(1)), but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see PCT Gazette No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the PCT Newsletter, October and November 2001 and February 2002 issues.

In practice, **time limits other than the 30-month time limit will continue to apply, for various periods of time**, in respect of certain designated or elected Offices. For regular updates on the **applicable time limits (20, 21, 30 or 31 months, or other time limit)**, Office by Office, refer to the PCT Gazette ("Section IV" part published on a weekly basis), to the PCT Newsletter (on a monthly basis) and to the relevant National Chapters in Volume II of the PCT Applicant's Guide (the paper version of which is updated usually twice a year and the Internet version of which is updated usually on a weekly basis). Finally, a cumulative table of all applicable time limits for entering the national phase is available from WIPO's Internet site, via links from various pages the site including those of the Gazette, Newsletter and Guide, at <http://www.wipo.int/pct/en/index.html>.

Information about the requirements for **filing a demand for international preliminary examination** is set out in the PCT Applicant's Guide, Volume I/A, Chapter IX. Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

## REQUIREMENTS REGARDING PRIORITY DOCUMENTS

For applicants who have not yet complied with the requirements regarding priority documents, the following is recalled.

Where the priority of an earlier national, regional or international application is claimed, the applicant must submit a copy of the said earlier application, certified by the authority with which it was filed ("the priority document") to the receiving Office (which will transmit it to the International Bureau) or directly to the International Bureau, before the expiration of 16 months from the priority date, provided that any such priority document may still be submitted to the International Bureau before that date of international publication of the international application, in which case that document will be considered to have been received by the International Bureau on the last day of the 16-month time limit (Rule 17.1(a)).

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to prepare and transmit the priority document to the International Bureau. Such request must be made before the expiration of the 16-month time limit and may be subjected by the receiving Office to the payment of a fee (Rule 17.1(b)).

If the priority document concerned is not submitted to the International Bureau or if the request to the receiving Office to prepare and transmit the priority document has not been made (and the corresponding fee, if any, paid) within the applicable time limit indicated under the preceding paragraphs, any designated State may disregard the priority claim, provided that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within the time limit which is reasonable under the circumstances (Rule 17.1(c)).

Where several priorities are claimed, the priority date to be considered for the purposes of computing the 16-month time limit (and all other PCT time limits) is the filing date of the earliest application whose priority is claimed (Article 2(xi)(b)).

From the INTERNATIONAL BUREAU

SMD/36K/xxx

**PCT**NOTIFICATION CONCERNING  
TRANSMITTAL OF COPY OF INTERNATIONAL  
APPLICATION AS PUBLISHED OR REPUBLISHED

To:

DADIO, Susan, M.  
Burns, Doane, Swecker & Mathis, LLP  
P. O. Box 1404  
Alexandria, Virginia 22313-1404  
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 20 October 2005 (20.10.2005)		<b>IMPORTANT NOTICE</b>	
Applicant's or agent's file reference 034136-022			
International application No. PCT/US2005/010214	International filing date (day/month/year) 25 March 2005 (25.03.2005)	Priority date (day/month/year) 26 March 2004 (26.03.2004)	
Applicant LUNA INNOVATIONS INCORPORATED et al			

The International Bureau transmits herewith the following documents:

- ☒ copy of the international application as published by the International Bureau on 20 October 2005 (20.10.2005) under No. WO 2005/098967
- ☐ copy of international application as republished by the International Bureau on under No. WO
- For an explanation as to the reason for this republication of the international application, reference is made to INID codes (15), (48) or (88) (as the case may be) on the front page of the attached document.

RECEIVED

BUCHANAN INGERSOLL PC

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Athina Nickitas-Etienne
Facsimile No.+41 22 740 14 35	Facsimile No.+41 22 338 89 95

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BUCHANAN INGERSOLL PC

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FIRST NOTICE INFORMING THE APPLICANT OF  
THE COMMUNICATION OF THE INTERNATIONAL  
APPLICATION (TO DESIGNATED OFFICES WHICH  
DO NOT APPLY THE 30 MONTH TIME LIMIT  
UNDER ARTICLE 22(1))

(PCT Rule 47.1(c))

From the INTERNATIONAL BUREAU SMD/JGK/KXX

To:

DADIO, Susan, M.  
Burns, Doane, Swecker & Mathis, LLP  
P. O. Box 1404  
Alexandria, Virginia 22313-1404  
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)  
27 October 2005 (27.10.2005)

Applicant's or agent's file reference  
034136-022

## IMPORTANT NOTICE

International application No.  
PCT/US2005/010214

International filing date (day/month/year)  
25 March 2005 (25.03.2005)

Priority date (day/month/year)  
26 March 2004 (26.03.2004)

Applicant

LUNA INNOVATIONS INCORPORATED et al

1. **ATTENTION:** For any designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002 (30 months from the priority date), **does apply**, please see Form PCT/IB/308(Second and Supplementary Notice) (to be issued promptly after the expiration of 28 months from the priority date).
2. Notice is hereby given that the following designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002, **does not apply**, has/have requested that the communication of the international application, as provided for in Article 20, be effected under Rule 93bis.1. The International Bureau has effected that communication on the date indicated below:  
20 October 2005 (20.10.2005)

CH

In accordance with Rule 47.1(c-bis)(i), those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

3. The following designated Offices, for which the time limit under Article 22(1), as in force from 1 April 2002, **does not apply**, have not requested, as at the time of mailing of the present notice, that the communication of the international application be effected under Rule 93bis.1:

LU, SE, TZ, UG, ZM

In accordance with Rule 47.1(c-bis)(ii), those Offices accept the present notice as conclusive evidence that the Contracting State for which that Office acts as a designated Office does not require the furnishing, under Article 22, by the applicant of a copy of the international application.

**4. TIME LIMITS for entry into the national phase**

For the designated Office(s) listed above, and unless a demand for international preliminary examination has been filed before the expiration of **19 months** from the priority date (see Article 39(1)), the applicable time limit for entering the national phase will, **subject to what is said in the following paragraph**, be **20 MONTHS** from the priority date.

In practice, **time limits other than the 20-month time limit** will continue to apply, for various periods of time, in respect of certain of the designated Offices listed above. For **regular updates on the applicable time limits** (20 or 21 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

It is the applicant's **sole responsibility** to monitor all these time limits.

NOV - 4

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No. +41 22 740 14 35

Authorized officer

Athina Nickitas-Etienne

Facsimile No. +41 22 338 89 95

11/3/05

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:  
SUSAN M. DADIO  
BURNS, DOANE, SWECKER & MATHIS, LLP  
P. O. BOX 1404  
ALEXANDRIA, VA 22313-1404

## PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 034136-022	Date of mailing (day/month/year)
International application No. PCT/US05/10214	International filing date (day/month/year) 25 March 2005 (25.03.2005)
Applicant LUNA INNOVATIONS INCORPORATED	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

**When?** The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

**4. Reminders**

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301, and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Jeffrey T. Barton Telephone No. (571) 272-1307
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Form PCT/ISA/220 (January 2004)

(See notes on accompanying sheet)

JUL 20 2005

7/20/05

KD

ARTICLE 19 DUE  
9-19-05  
Chap II / WRITTEN  
DUE 1-26-06

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:  
SUSAN M. DADIO  
BURNS, DOANE, SWECKER & MATHIS, LLP  
P. O. BOX 1404  
ALEXANDRIA, VA 22313-1404

## PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 034136-022	Date of mailing (day/month/year) <b>19 JUL 2005</b>
International application No. PCT/US05/10214	International filing date (day/month/year) 25 March 2005 (25.03.2005)
Applicant LUNA INNOVATIONS INCORPORATED	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

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**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

**4. Reminders**

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The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Jeffrey T. Barton  Telephone No. (571) 272-1307
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